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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,755	01/17/2002	Haruo Shoji	100353-00092	2653

7590

10/04/2004

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EXAMINER

BAKER, PAUL A

ART UNIT

PAPER NUMBER

2188

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/046,755

Applicant(s)

SHOJI, HARUO

Examiner

Paul A Baker

Art Unit

2188

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4 and 9 is/are allowed.
- 6) ☒ Claim(s) 5-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/17/2002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 5 states storage of a rewriting program and boot program may occur at anytime. This is not possible since attempting to write to the area while executing code from the same area would cause the processor to enter an unknown and unpredictable state.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by McKee, US Patent 6,598,157.

In regards to claim 6, McKee discloses an address-conversion method that enables a plurality of areas, each having a plurality of sectors in figure 2 elements 222 and 224, of a semiconductor memory device to function as the same boot block type, comprising:

- converting a sector-address inputted from an outside source by a sector-address conversion circuit in figure 2 element 216; and

- connecting the sector-address conversion circuit to the semiconductor memory device having the plurality of areas, each having a plurality of sectors in figure 2 element 228.

In regards to claim 7, McKee discloses a sector-address conversion circuit that enables a memory device having a plurality of sectors to function as a desired boot block type, comprising:

- a sector-address input terminal in figure 4 element 410;

- a sector-address output terminal in figure 4 element 416;

- a boot block type specifying terminal that specifies a desired boot block type of the memory device in figure 4 element 414; and

- a signal conversion circuit that converts a sector address inputted to the sector-address input terminal based on a signal inputted to the boot block type specifying

terminal and a most significant bit of the sector address, and outputs a converted sector address from the sector-address output terminal in figure 4 element 432.

In regards to claim 8, McKee discloses a control circuit for controlling the semiconductor memory device, which specifies a boot block type by providing a command in figure 4 element 412.

Allowable Subject Matter

Claims 1-4, 9 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

In regards to claim 1, Furuyama et al. US Patent 6,643,758 discloses the boot sector to be smaller than the other sectors in column 1 lines 30-34. Furuyama further discloses the memory is capable of top addressing (small sector in highest physical address) and bottom addressing (small sector in lowest physical address) in figure 1 sub-figures 1 and 2. The priority date of the present application is 24 January 2001, the priority date of Furuyama is 26 April 2001. Applicant's effective filing date is earlier than Furuyama, therefore Furuyama does not constitute as prior art. For this reason claim 1 is found allowable over the prior art of record.

Claims 2-4 and 9 are allowable as dependent upon claim 1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul A Baker whose telephone number is (703)305-3304. The examiner can normally be reached on M-F 10am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on (703)306-2903. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PB

Mano Padmanabhan
10/1/04

MANO PADMANABHAN
SUPERVISORY PATENT EXAMINER